

Title 4
ADMINISTRATION
Part V. Policy and Procedure Memoranda
Chapter 25. Use and Management of State Vehicles **CPPM Number 63**

§2501. Preamble

A. Except where otherwise noted, these regulations apply to all state officers, employees, and authorized persons in all agencies of the state, as defined in R.S. 39, Section 82 to include all offices and entities of the executive branch, judicial branch, and legislative branch of state government.

B. The use of a state-owned vehicle is considered to be a privilege provided by the state so that official job responsibilities can be fulfilled. The intentions of these policies are to insure that this privilege is exercised appropriately and that the operation and management of state-owned vehicles is as economical and effective as possible.

AUTHORITY NOTE: Promulgated in accordance with R.S. 39:60, 39:231, 39:361-365, and 49:950-970.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, LR 3:434 (November 1977), amended LR 7:71 (March 1981), LR 7:619 (December 1981), LR 10:88 (February 1984), LR 10:281 (April 1984).

Subchapter A. Introduction

§2503. Current Legal Authority from Other Sources

A. R.S. 39:231(A). Except as provided in §2503.B and C, the commissioner of administration, with the approval of the governor, shall, by rule or regulation, prescribe the conditions under which various forms of transportation may be used by state officers and employees in the discharge of the duties of their respective offices and positions in the state service and the conditions under which allowances will be granted for traveling expenses.

B. R.S. 39:231(B). Each statewide elected official may use, at public expense, any state aircraft, automobile, or other vehicle which has been assigned to such official by the commissioner of administration for any purpose which such official deems necessary in performing the duties of his office.

1. R.S. 39:361. The Division of Administration shall establish a uniform policy for all state agencies for the use of state-owned motor vehicles by state employees. In developing the policy the following criteria shall be used.

a. Based upon miles driven, the break-even point at which it is more economical to purchase a vehicle for an employee as opposed to the paying of mileage shall be determined.

b. If the vehicle is to be used primarily for city-to-city travel, a standard size car may be purchased, and if travel is primarily within a city or within a small geographical area, a compact car or other type shall be purchased. No foreign made vehicles shall be purchased. All passenger sedans purchased, except those for use by the Louisiana Department of Public Safety and those major department heads of the executive branch and certain other personnel approved by the Joint Legislative Budget Committee, shall have highway mileage ratings of at least 20 miles per gallon according to United States Environmental Protection Agency standards for that particular make and model automobile.

c. In cases in which the vehicle will not meet the mileage break-even point as established pursuant to §2503.A.1.a, the special need of the individual employee or official to have the use of a car purchased for his individual use, as in the case of certain department heads or persons engaged in law enforcement undercover work, may be considered.

2. R.S. 39:362. Purchase of Vehicles: Specifications

a. The Division of Administration shall prepare set specifications for automobiles (both compact and standard size cars) and trucks (both pickup and heavy-duty trucks) and other types of vehicles to be used by all state agencies. The Bureau of Purchasing in the Division of Administration shall prepare specifications so that state agencies only purchase one type of car per category and shall prepare a list of exceptions, such as a vehicle for the governor, the vehicles for undercover police work, and other similar purposes. The Bureau of Purchasing shall bid contract rather than negotiate with all of the authorized dealers for prices on individual cars and shall also require state agencies to purchase from the authorized dealer who has been awarded the bid. Other authorized dealers who meet the standard specifications for the vehicles may sell cars to the state but only at the lowest bid price. The

specifications and purchasing procedures set out in this Section, and all other provisions of this Part, shall be applicable to every state agency and department which uses state-owned vehicles, without exception and notwithstanding any law to the contrary.

3. R.S. 39:363. Pooling of state-owned vehicles: determination of need, exclusions.

a. The Division of Administration shall determine how many vehicles, based upon the break-even points, determined as provided in R.S. 39:361, would be surplus because employees who presently have them would not be eligible for them. The Division of Administration shall assume title to all of those vehicles and initiate a motor pool in various areas of the state where there are significant numbers of state employees who could benefit from such a pool. The Division of Administration shall assess the needs for the pools in those areas and determine the total number of vehicles in each pool to meet the daily attendance requirements of such agencies.

4. R.S. 39:364. Employees of Office of State Police... (special provisions).

5. R.S. 39:365. Purchase or lease of luxury automobiles and equipment prohibited...(including exclusions).

6. R.S. 39:60.1.C. The commissioner of Administration shall assemble and release annually to the governor and legislature, by January 31, a comprehensive report by each budget unit and each spending agency in the executive and judicial branches of state government, complete as of September 30 of the preceding year, of information concerning motor vehicles, aircraft, and boats, owned or leased by each agency within the executive or judicial branch. The report shall include, for each vehicle, the type of vehicle, make, model, year, primary user (if any), mileage traveled or hours of use, annual rental or lease cost if not purchased, or the purchase price.

7. R.S. 49:121. Identification of property (name of board, department or subdivisions; marking on boat or vehicle; Louisiana public license plates; exemptions).

a. Every boat, watercraft, aircraft, automobile, truck or other vehicle belonging to the state or to any of its political subdivisions shall, if required by law to bear a Louisiana license plate, bear a public license plate, and each such vehicle also shall have inscribed, painted, decaled or stenciled conspicuously thereon, either with letters not less than 2 inches in height and not less than one-quarter inch in width or with an insignia containing not less than 144 square inches, or if circular, not less than 8 inches in diameter, the name of the board, commission, department, agency or subdivision of the state to which the boat, watercraft, aircraft, automobile, truck, or other vehicle belongs, such as "Louisiana Department of Highways," or "Louisiana Conservation Commission," or "School Board-East Baton Rouge," or "Sheriff-East Baton Rouge," or "City of Baton Rouge"; provided, however, that recognized and approved abbreviations such as "LA.," "Dept.," "Com.," "Bd.," and the like, may be used.

b. The individual whose responsibility it is to place the purchase order for any vehicle or watercraft as herein provided for shall be personally responsible for seeing that the agency name is placed thereon as herein required and shall do so within 10 days after the delivery of such vehicle or water craft is receipted for and prior to delivery of such vehicle to the person or agency for whom the purchase was made.

c. Those automobiles used in crime prevention and detection and similar investigative work which, if identified as required by this Section, could not be used effectively for such purposes, are exempt from the provisions of this Part, and in addition, the automobiles used by the governor, lieutenant governor and statewide elected officials are exempt from the provisions of this Part.

d. No officer or employee of the state or any of its political subdivisions shall drive or operate any publicly owned land vehicle, aircraft, or watercraft not marked in accordance with the provisions of this Section, and no public officer or employee shall request, direct, or permit any other public official or employee or any other person to drive or operate any such vehicle.

e. The head of any department or board of the state or any of its subdivisions who operates or who orders, requests, or permits any employee under his control or supervision or any other person to operate any publicly-owned land vehicle, watercraft, or aircraft not marked in accordance with the provisions of this Section shall be guilty of a violation thereof. Each day upon which such a violation is committed shall be considered a separate offense.

8. R.S. 39:330. Responsibility for Property

a. Each property manager shall be the custodian of and shall be responsible for all property of his agency... provided, however, that when any property is entrusted to any other officer or employee of the agency, the property manager shall require a written receipt for such property to be executed by the person receiving the property, and in such event, the property manager shall be relieved of responsibility for the property...

b. Each property manager and each person to whom property is entrusted and receipted for, as provided in this Part, shall be liable for the payment of damages whenever his wrongful or negligent act or omission causes any loss, theft, disappearance, damage to or destruction of property of his agency...

c. Whenever a property manager has knowledge or reason to believe that property of the agency is lost, stolen, or otherwise unaccounted for or is damaged or destroyed, or whenever any other person has such knowledge or reason for such belief with respect to property entrusted to him, such property manager or such person shall report his knowledge or reason to the head of the agency. The head of the agency shall immediately notify the commissioner, who shall cause an investigation to be made to determine whether the property manager or the person entrusted with the property or any other person has, by his wrongful or negligent act or omission, caused the loss, theft, disappearance, damage to, or destruction of such property. After the investigation, the commissioner shall either:

- i. release the property manager or person entrusted with the property from liability;
- ii. collect payment of damages from or arrange for such payment by the property manager or person entrusted with the property; or
- iii. certify the facts to the attorney general.

d. If the commissioner deems that the investigation shows some other person to be liable for the damages, he shall take such steps as are necessary to recover damages therefrom or otherwise satisfy the claims of the state with regard thereto.

9. Chapter 15. General Travel RegulationsCPPM Number 49

a. Section 1525.A of this Part. State-owned vehicles shall be utilized for travel to points within Louisiana whenever possible unless another method of transportation can be documented as more efficient.

b. Section 1527 of this Part. Operation of Motor Vehicles on Official State Business.

i. No vehicle may be operated in violation of state or local laws. No traveler may operate a vehicle without having in his/her possession a valid state driver's license.

ii. If available, safety restraints shall be used by the driver and passengers of vehicles.

iii. All accidents, major and minor, shall be reported first to the local police department or appropriate law enforcement agency. An accident report form, available from the Office of Risk Management (ORM) of the Division of Administration, should be completed as soon as possible and returned to ORM, together with names and addresses of principals and witnesses. An accident report concerning state-owned vehicles shall also be filed with the insuring agency, Travelers Insurance Company, as soon as possible. The branch closest to the official domicile of the vehicle should be contacted. Any questions about this should be addressed to the Office of Risk Management of the Division of Administration. These reports shall be in addition to reporting the accident to the Department of Public Safety, as required by law.

iv. Unauthorized persons should not be transported in state or privately-owned vehicles during the conduction of official state business. Approval of exceptions to this policy may be made by the traveler's supervisor if he determines that the best interests of the state will be served and if the passenger (or passenger's guardian) signs a statement acknowledging the fact that the state assumes no liability for any loss, injury, or death resulting from said travel.

c. Section 1529 of this Part. State-Owned Automobiles

i. All purchases made on state gasoline credit cards must be signed for by the approved traveler making the purchase. The license number and the unit price and quantity of the commodity purchases must be noted on the delivery ticket by the vendor. Items incidental to the operation of the vehicle may be purchased via state gasoline credit cards only when away from official domicile on travel status. In all instances where a credit card is used to purchase items or services which are incidental to the operation of a vehicle, the tissue copy of the credit ticket, along with a written explanation of the reason for the purchase, will be attached to the report required in 2503.B.9.iii.

ii. Travelers in state-owned automobiles who purchase needed repairs and equipment while on travel status shall make use of all fleet discount allowances and state bulk purchasing contracts, where applicable. Each agency/department shall familiarize themselves with the existence of such allowance and/or contracts and the location of vendors by contacting the Purchasing Office, Division of Administration.

iii. The user of each state-owned automobile shall submit a monthly report to the department head, board, or commission indicating the number of miles traveled, odometer readings, credit card charges, dates, and places visited. When an agency car pool vehicle is used, the traveler, upon returning the vehicle to the pool, shall report the operating condition of the vehicle to the person designated as the responsible assigning officer.

iv. State-owned vehicles may be taken out of state only if permission of the department head has been given prior to departure. If a state-owned vehicle is to be used to travel to a destination more than 500 miles from its usual location, documentation that this is the most cost effective means of travel should be readily available in the department's travel reimbursement files.

AUTHORITY NOTE: Promulgated in accordance with R.S. 39:60, 39:231, 39:361-365, and 49:950-970.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, LR 3:434 (November 1977), amended LR 7:71 (March 1981), LR 7:619 (December 1981), LR 10:88 (February 1984), LR 10:281 (April 1984).

§2505. Definitions

A. For the purpose of these regulations, the following words have the meanings indicated:

Break-Even Mileage Cthe annual mileage traveled on official state business beyond which it is more economical for employees to utilize a state vehicle than receive reimbursement at the established state rate for use of a personally-owned vehicle. Commuting mileage is *not* included in this computation.

Department Cunless otherwise noted, use herein represents all departments of the executive branch, including colleges and universities, boards, commissions, councils, and other entities; and offices and entities of the judicial and legislative branches of state government.

Department Head Cunless otherwise noted, use herein represents statewide elected officials, the secretary of a department in the executive branch, and his/her equivalent in colleges and universities, boards, commissions, councils, and other entities of any branch of state government. Delegations of authority must be submitted to and approved by the Division of Administration, as alluded to in Section 2513.

Official Domicile Cfor the purpose of determining commuting mileage, shall be the physical location of the office, institution, or other facility where the state employee regularly reports and performs most official job responsibilities.

Passenger Vehicles Cthose state-owned vehicles whose primary function is to transport people from one place to another, excluding emergency medical transportation (e.g. ambulances) and vehicles assigned for use by direct law enforcement agents. Generally, this shall include trucks with up to 3/4 ton capacity.

Personal Mileage Cmileage accrued which is not directly connected to state business. Travel between home and office (commuting mileage) is considered personal mileage, unless in specially approved circumstances the employee does not normally work in an office.

Personally-Assigned Vehicles Ca state-owned vehicle assigned to a particular employee for use in accomplishing job assignments and/or for the purpose of vehicle accountability.

Pool Vehicle Ca state-owned vehicle made available to state employees on a specific trip basis. These may include:

a. *DOA Pool* Cstate-owned vehicles under the supervision of the DOA Office of State Property Control, from which any state agency may rent a vehicle, as available and appropriate.

b. *Department Pool* Cstate vehicles under the general "ownership" of an executive branch department or, in these regulations, a state college or university.

c. *Office Pool* Cstate vehicles available as needed to employees of any section within a larger organizational structure, such as the offices within the executive departments.

d. *Section Pool* Cstate vehicles assigned to particular sub-units of a major state organization.

e. *Unit/Agency Pool* Cstate cars assigned to more than one section, usually at a common location such as an institution or larger office building.

State Employee Cany classified or unclassified employee of the state of Louisiana, e.g. whose salary is paid through the state treasury, and "authorized persons" such as advisors and consultants, members of boards, commissions, and advisory councils, and others who have received appropriate authorization to utilize a state vehicle.

State Fleet Manager C the Division of Administration staff person in State Property Control responsible for the implementation, monitoring, and overall administration of the statewide vehicle management program.

State-Owned Vehicles C motor vehicles owned or leased by the state which require a human operator.

Statewide Elected Official C governor, lieutenant governor, attorney general, secretary of state, state treasurer, superintendent of education, commissioner of agriculture, commissioner of elections, commissioner of insurance.

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Subchapter B. Organization of Vehicle Maintenance Program

§2507. Duties of State Fleet Manager

A. In accordance with the responsibilities and authority vested in the commissioner of Administration by Sections 231 and 361 of Title 39 of the Louisiana Revised Statutes of 1950, interagency management of state-owned vehicles is the responsibility of the Division of Administration. The duties of the state fleet manager shall include, but are not limited to:

1. functioning as the primary liaison with transportation coordinators for each of the executive departments, colleges, universities, boards, etc;
2. establishment and maintenance of an accurate data base which is sufficient for the fixed asset program; assignment of vehicles; cost allocation for vehicle use, fuel purchase, maintenance, and repairs;
3. identification of the need for and provision or coordination of training for departmental transportation coordinators, officers, and vehicle operators;
4. development and implementation of assessment for ongoing identification of areas where state vehicle shortages are occurring based on utilization patterns, vehicle availability, etc;
5. assumption of title to under-utilized vehicles which have not been granted exceptions based on special functions, and reassignments of these to agencies with assessed vehicle needs (as well as temporary rentals); develop and maintain coordination with the Budget Office regarding the above;
6. review of all requests from department transportation coordinators for exceptions to state vehicle policies; (Appeals may be made by the department secretary to the commissioner of Administration.)
7. development and maintenance of interdepartmental agreements for use of bulk fuel dispensing, maintenance facilities, secure vehicle storage areas, etc;
8. review of all reports of vehicle abuse or policy violation, supervision of investigation of same, as necessary, and approval of action recommended by department head, or recommend alternative to commissioner;
9. review of department requests regarding major repairs (both mechanical and body damage), disposal, and acquisition of vehicles; final authorization for action to be taken, within other appropriate guidelines;
10. monitoring of reports received from department transportation coordinators, notification of commissioner and department head when problems are not being resolved.

AUTHORITY NOTE: Promulgated in accordance with R.S. 39:60, 39:231, 39:361-365, and 49:950-970.

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§2509. Department Transportation Coordinator

A. Because the effective and efficient utilization of vehicles requires the cooperation of all parties, each department (see §2505.J herein) shall designate one individual as the department transportation coordinator. The name, position, and telephone number of this person shall be furnished to the commissioner of Administration by March 1, 1984, and updated as changes occur. This is to be accomplished within the current position allocation. Although the scope of duties of the department transportation coordinators will vary somewhat because of the vast differences in the sizes and uses of motor vehicle fleets among state agencies, all department transportation coordinators shall:

1. serve as primary liaison for his/her department with the Division of Administration, Office of State Property Control, including:
 - a. responsibility for dissemination of DOA policies and procedures regarding the use of state vehicles among all department employees;

b. responsibility for submission of accurate and timely reports regarding state-owned motor vehicles, as requested by the division and/or mandated by legislation;

c. responsibility for responding to inquiries from the June 6, 1997 Division regarding particular situations involving the possible misuse of state-owned vehicles assigned to his/her department or operated by the department's employee;

d. report to the Division any improper use of state vehicles that comes to his/her attention, along with corrective actions taken, as appropriate;

e. report to the Division any major accident involving a state-owned vehicle or plans to dispose of or transfer a vehicle;

2. review monthly vehicle usage and maintenance reports, as required elsewhere in these regulations, investigate irregularities or have them investigated, and provide explanations to the Division as requested;

3. supervise or monitor the study of any department operated garages or service/repair facilities, as directed by the Division or the legislature;

4. maintain current and complete files on each motor vehicle assigned to, owned by, or used by the department, to include information detailed elsewhere in these regulations, until such time that all the required information is automated and easily retrievable;

5. by July 1, 1984, and thereafter, insure that every department employee who operates a state vehicle at any time has on file a signed and dated agreement and understanding form. This form will be developed by and available from DOA Forms Management;

6. insure that department employees with personally assigned state-owned vehicles file an additional signed application and agreement (DOA Form MV-2) at least annually with the department transportation coordinator, which shall be submitted to the state fleet manager for approval by May 1 each year;

7. supervise and control interagency car pool operations, as established within the department, and serve as liaison with DOA State Property Control for the interdepartmental state motor pool operations;

8. coordinate and approve agency requests within the department for replacement or new vehicles before such are submitted to the DOA Budget Office, first insuring that under-utilized vehicles are not available within the department for transfer. (Each case will also be reviewed and approved by the DOA fleet manager prior to Budget Office approval.) The department transportation coordinator should have sufficient authority to reassign agency vehicles within the department. This authority shall not be delegated to a lower level;

9. insure that preventive maintenance has been performed on all vehicles assigned to the department according to the minimum schedule contained herein or the schedule developed and approved for the particular vehicle, and that required records of such are current and complete. (See also §2509.A.2 and 4.);

10. insure the collection of any approved commute charges that are not collected by payroll deduction within the department.

AUTHORITY NOTE: Promulgated in accordance with R.S. 39:60, 39:231, 39:361-365, and 49:950-970.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, LR 3:434 (November 1977), amended LR 7:71 (March 1981), LR 7:619 (December 1981), LR 10:88 (February 1984), LR 10:284 (April 1984).

§2511. Transportation Officers

A. In order to more efficiently fulfill the responsibilities outlined in this policy memorandum, the department may designate appropriate employees in smaller organizational units as transportation officers, within present position allocations. The department transportation coordinator shall delegate, in writing, those functions which the transportation officer is responsible for on the small scope of an institution, pool, or office level. A copy of these delegated responsibilities shall be furnished to the transportation officer's supervisor so that conflicts in assignments can be avoided.

AUTHORITY NOTE: Promulgated in accordance with R.S. 39:60, 39:231, 39:361-365, and 49:950-970.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, LR 3:434 (November 1977), amended LR 7:71 (March 1981), LR 7:619 (December 1981), LR 10:88 (February 1984), LR 10:284 (April 1984).

§2513. Substitute Programs

A. A department may develop another organizational structure or internal policies which better serve the vehicle needs of its agencies, if such comply with the minimal guidelines contained herein. Details of such structures, policies, and procedures shall be approved by and filed with the Division of Administration and updated as changes occur. Substitute structures must still provide all reports and accountability features required herein unless excepted

by law, or unless a substitute format or timetable of such has also been approved by the Division as part of the department's internal policies.

AUTHORITY NOTE: Promulgated in accordance with R.S. 39:60, 39:231, 39:361-365, and 49:950-970.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, LR 3:434 (November 1977), amended LR 7:71 (March 1981), LR 7:619 (December 1981), LR 10:88 (February 1984), LR 10:284 (April 1984).

Subchapter C. Acquisition and Disposition of Vehicles

§2515. Acquisition of Vehicles

A. In view of the increasing cost of fuel and vehicles and in view of Louisiana's need to employ the most cost-effective method of transportation, the following rules shall be observed in the acquisition of vehicles (effective January 20, 1982):

1. Large-size or "luxury" vehicles [as defined in R.S. 39:365(B) and (C)] shall henceforth be purchased only for use of elected officials, as is presently permitted under R.S. 39:365(E)].
2. Mid-size vehicles may only be purchased for use by department heads at the level of secretary.
3. Compact vehicles may be purchased for usual occupancy by three or more persons or when the major usage will be inter-city mileage.
4. Subcompact vehicles shall be purchased where usual occupancy is anticipated by one or two persons, or where travel will be limited in the main to intra-city travel, or when mileage is not expected to exceed 15,000 per year.

AUTHORITY NOTE: Promulgated in accordance with R.S. 39:60, 39:231, 39:361-365, and 49:950-970.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, LR 3:434 (November 1977), amended LR 7:71 (March 1981), LR 7:619 (December 1981), LR 10:88 (February 1984), LR 10:284 (April 1984).

§2517. Specifications

A. Specifications shall be developed by the Division of Administration, Office of State Purchasing, to provide for the needs of state agencies according to the above and define specifically what model types each category includes, to result in a bid contract for vehicle purchases. Specifications will accommodate those restrictions and exceptions detailed in R.S. 39:361, 362 and 365.

AUTHORITY NOTE: Promulgated in accordance with R.S. 39:60, 39:231, 39:361-365, and 49:950-970.

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§2519. Vehicle Purchase Requests

A. All requests to purchase vehicles, including purchase release orders, shall include a detailed explanation of the purpose and use of each vehicle. The explanation shall include such details as intended use in the motor pool, whether the vehicle will be used mainly in inter-city or intra-city travel, number of expected occupants, anticipated yearly mileage, etc.

AUTHORITY NOTE: Promulgated in accordance with R.S. 39:60, 39:231, 39:361-365, and 49:950-970.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, LR 3:434 (November 1977), amended LR 7:71 (March 1981), LR 7:619 (December 1981), LR 10:88 (February 1984), LR 10:285 (April 1984).

§2521. Approval for the Acquisition of a Vehicle

A. Approval for the acquisition of a vehicle will not be given until it has been determined that a suitable vehicle is not already owned by the state and underutilized at its current assignment, which could be transferred to the requesting agency, and that the need for the vehicle is sufficient to warrant a purchase rather than a lease or rental. Signatures of the state fleet manager and state executive budget officer will constitute such approval.

AUTHORITY NOTE: Promulgated in accordance with R.S. 39:60, 39:231, 39:361-365, and 49:950-970.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, LR 3:434 (November 1977), amended LR 7:71 (March 1981), LR 7:619 (December 1981), LR 10:88 (February 1984), LR 10:285 (April 1984).

§2523. Inspection of Newly Purchased State-Owned Vehicles

A. All newly purchased state-owned vehicles will be delivered to State Property Control for inspection of compliance with purchasing specifications and condition at delivery, as well as establishment of a centralized file on the vehicle and, when developed, insertion of an operator's manual, accident reporting procedures and forms, and, as appropriate, a universal state credit card.

1. The preventive maintenance requirements of the vehicle will be determined between the state fleet manager and department travel coordinator, and reporting expectations clarified, as necessary.

2. No vehicle will leave the premises of State Property Control without the appropriate state identification affixed. After that time, the owner-department becomes responsible for insuring that such identification is maintained in a readable condition. Exceptions to this mandate are detailed in §2503.A.7 of this Chapter.

3. Departments shall apply to the Department of Public Safety for vehicle license plates and shall notify the state fleet manager of the number assigned to a new vehicle and any subsequent changes which may occur.

4. Vehicles purchased by the Department of Transportation and Development and Department of Public Safety are not accepted and inspected by DOA State Property Control, but these agencies will notify the state fleet manager of vehicle acquisition, license plate number assignment or changes, and other such information as is necessary to maintain a current and comprehensive vehicle inventory and control program.

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§2525. Disposition of a Vehicle

A. Upon determination by the department travel coordinator and, ultimately, the state fleet manager that the useful or efficient life of a vehicle has been surpassed, that vehicle shall be transferred to DOA State Property Control for disposal as surplus property in accordance with law or regulations.

AUTHORITY NOTE: Promulgated in accordance with R.S. 39:60, 39:231, 39:361-365, and 49:950-970.

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Subchapter D. Vehicle Assignments

§2527. Personally Assigned Vehicles

A. To qualify for an assigned vehicle, state employees must drive, on state business, in excess of the break-even mileage, which has been determined for these purposes to be 15,000 miles annually. This mileage should accrue consistently throughout the year, not sporadically month-to-month. Exceptions to this policy include:

1. according to R.S. 39:364, an employee of the Department of Public Safety, except police employees, must travel in excess of 18,000 business miles per year in order to have a vehicle personally assigned to him/her. The secretary or assistant secretaries of public safety may make exceptions to this because of emergencies or unusual circumstances, which must be documented for the files of the state fleet manager on DOA Form MV-2;

2. assignment of vehicles to statewide elected officials, the commissioner of Administration, cabinet secretaries, and presidents or chancellors of state colleges and universities, and their equivalent positions in the judicial and legislative branches, due to the extensive and constant nature of their responsibilities. Personal use of these vehicles, however, is considered a gratuity by the Internal Revenue Service, so these persons are not exempt from later provisions dealing with that subject;

3. state police troopers, who generally report to assignments directly from their residences and because of their 24-hour assignment to protect Louisiana citizens, uphold compliance with the law, and protect property;

4. those which may be made by the commissioner of Administration for other state employees whose responsibilities include full-time public safety or investigative work, those who drive specially-equipped vehicles, and those whose technical expertise demands frequent overtime in the service of data processing equipment, heating and air conditioning at institutions, etc. Individual requests for such exceptions must be made to the commissioner on DOA Form MV-2;

5. personal assignment agreement. A personal assignment agreement (DOA Form MV-2) must be completed, signed, and filed with the state fleet manager annually by May 1 in order to continue the personal assignment into the new fiscal year. Any agreements approved by the state fleet manager during the year shall expire June 30 and require renewal request according to the schedule above;

6. assigned vehicle drivers do not have the authority to grant permission for the use of assigned vehicles to any other person except for reason of health and/or safety, except as below;

7. the personally assigned vehicle shall be made available for official use by other staff members when it would otherwise not be used (and such use noted on the daily vehicle log, DOA Form MV-3). When the employee is on extended leave (more than five days), the transportation officer or coordinator should be notified so that the vehicle may be temporarily reassigned;

8. employees with personal vehicle assignments are responsible for insuring that service, maintenance, and inspection of the vehicle is completed as required, which includes proper reporting to the transportation officer or department transportation coordinator, as determined within the department;

9. the driver of each personally assigned state-owned vehicle shall submit a Monthly Vehicle Usage Report to his/her supervisor by the third working day of each month, who shall audit such, and within three additional days, route the reports to the appropriate transportation officer or departmental transportation coordinator. Drivers shall utilize DOA Form MV-3, attaching any explanatory information, as needed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 39:60, 39:231, 39:361-365, and 49:950-970.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, LR 3:434 (November 1977), amended LR 7:71 (March 1981), LR 7:619 (December 1981), LR 10:88 (February 1984), LR 10:285 (April 1984).

§2529. Pool Vehicles

A. Assignment of vehicles shall be made on a priority basis to those locations where a combination of employees are reimbursed for more than 15,000 miles driven on official state business in their personal vehicles because state vehicles were not available.

B. Continuance of assignment of vehicles to a departmental or smaller unit pool shall be provided on a top priority to those units which accrue 15,000 or more miles annually per vehicle on official state business, as determined by monthly and annual reports. Rotation of the use of vehicles in a pool is therefore encouraged if vehicle retention is considered important. (Nonpassenger vehicle utilization will be assessed on an individual basis.)

C. The transportation officer or department transportation coordinator, as determined within each department, shall be responsible for monitoring the utilization of pool vehicles and making assignment decisions, as necessary. Additionally, this person will:

1. insure that any state employee in his/her unit who may operate a state vehicle has on file a signed state vehicle operator's agreement and, when applicable, a personal assignment agreement;

2. insure that each driver maintains the daily log for the particular vehicle and submits to him/her necessary documentation for reporting purposes;

3. compile required information for monthly reports submitted to the department travel coordinator and, upon request, to the state fleet manager;

4. insure that each vehicle under his/her supervision has the minimum preventive maintenance performed at appropriate intervals, as defined in §2543 herein, with required reports completed and submitted. This shall include oversight of basic upkeep such as car washing, checking tire pressure, and annual safety inspections;

5. insure that proper procedures have been followed when any accident occurs involving a state-owned vehicle (see §2503.A.9.b.iii), and that an incident report is filed with the department transportation coordinator whenever he/she receives a report of vehicle abuse, that vandalism has occurred, etc. If it is determined that a state-owned vehicle has been totaled or incurred major damages, the state fleet manager shall also be notified;

6. perform such duties as necessary to monitor the use of state vehicles assigned to that pool and insure their most efficient and effective operation.

AUTHORITY NOTE: Promulgated in accordance with R.S. 39:60, 39:231, 39:361-365, and 49:950-970.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, LR 3:434 (November 1977), amended LR 7:71 (March 1981), LR 7:619 (December 1981), LR 10:88 (February 1984), LR 10:285 (April 1984).

§2531. Division of Administration Pool Vehicles

A. Under separately available procedures, any department may request the utilization of a pool vehicle maintained by DOA State Property Control. Such utilization may be on the basis of short-term rental or long-term leasing, with prior approval of the State Budget Office, at a fee estimated by State Property Control to recover to the costs of operating the service.

AUTHORITY NOTE: Promulgated in accordance with R.S. 39:60, 39:231, 39:361-365, and 49:950-970.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, LR 3:434 (November 1977), amended LR 7:71 (March 1981), LR 7:619 (December 1981), LR 10:88 (February 1984), LR 10:286 (April 1984).

Subchapter E. Vehicle Storage and Commuting Policies

§2533. Vehicle Storage

A. Each state-owned vehicle shall have a designated overnight storage site which shall generally be the office location, regardless of whether the vehicle is personally assigned or a pool vehicle. This site shall be reported annually to the state fleet manager as indicated in §2565.A herein, and updated as changes occur. If the requested storage site is an employee's home, the subsequent sections shall apply.

B. State-owned vehicles may be stored overnight at an employee's residence at the discretion of the appropriate transportation officer or department transportation coordinator when:

1. the state employee will be departing upon or returning from an official trip away from the employee's official domicile either before or after normal working hours, or where the employee's residence is reasonably in route between the employee's official domicile or the vehicle storage site and the place where the employee is to commence work the next workday;

2. the vehicle is to be used in the conduct of specific, scheduled state business outside the normal working hours of the agency;

3. the employee is required to work specific, unexpected and unplanned overtime with the result that no other practical means of getting home is available to the employee;

4. the employee has a short-term assignment (no longer than one week) during which he/she is on 24-hour call and must use a specific vehicle due to the special equipment carried therein. Longer term assignments require approval of the commissioner (see Subchapter E. § 2533.B).

C. Regular home storage (overnight parking) of a state-owned vehicle will only be permitted with approval of the commissioner of Administration, using DOA Form MV-2, which shall expire at the end of each fiscal year. For renewal, this form must be submitted to the state fleet manager by May 1 each year. Reasons considered for home storage include:

1. documentation that no state facility, commercial parking, or other state parking space is available. The Division may determine that paying for space is more cost-efficient than commuting, or that another state agency will provide storage space;

2. documentation that available overnight parking space is unsafe. The Division may arrange for additional security measures (police patrols, fences, etc.) or institute a trial period, at any time, to determine whether conditions cited are chronic or sporadic. Specially-equipped vehicles will be given added consideration;

3. documentation that the state employee is required to travel in response to urgent or emergency calls outside of regular working hours in such frequency that it is more cost-effective to provide a state vehicle than reimburse the employee at the official mileage rate for use of his/her personal vehicle. Being "on call" does not constitute documentation. Travel logs must indicate the regularity of these occurrences over at least a three-month period. The nature of the service rendered, the importance to life and property of an immediate response, and the reasonable availability of other appropriate means of transportation will be considered on an individual basis. If a bona fide emergency exists during which an employee must travel to a site and personal transportation is not available, he/she may be reimbursed for taxi utilization (with receipts). Departments shall, however, have employees in such vital positions determine a substitute or backup transportation method in case an emergency should occur when they do not have personal transportation available. As a last resort, a local or state law enforcement agency may be contacted by the local agency or institution director for emergency transportation assistance, to be reimbursed by the agency upon invoice;

4. the need for immediate access to special equipment carried only in or attached to the state-owned vehicle, in order to respond to actual threats to life and/or property;

5. the fact that specific employees or a class of employees are engaged in field work or work not generally confined to a permanent duty station, in which a vehicle must be used to perform said duties and the nature of which must preclude regular pickup and return of a state vehicle from and to a state storage facility or parking area. A three-month travel log utilizing consecutive Monthly Vehicle Usage Reports (DOA Form MV-3) or processed travel reimbursement forms will provide documentation for this exception when inclusion of a large group (i.e. State Police field troopers) is not relevant;

6. when used in a commute program as described in §2535.

AUTHORITY NOTE: Promulgated in accordance with R.S. 39:60, 39:231, 39:361-365, and 49:950-970.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, LR 3:434 (November 1977), amended LR 7:71 (March 1981), LR 7:619 (December 1981), LR 10:88 (February 1984), LR 10:286 (April 1984).

§2535. State-Owned Vehicles Operated in a Commute Program

A. State-owned or leased automobiles and passenger vans may be used to provide commute transportation for state employees if such use does not interfere with the prescribed use of the vehicles and if the full cost of operating the service is reimbursed directly by the employees in a program specifically approved by the Division of Administration.

1. Requests for commencement or continuation of an employee commuting program shall include:

a. identification of vehicles to be utilized;

- b. reasons that this use of vehicle would be of particular benefit to program (e.g. remote location of institution, movement from one road site to another, etc.);
- c. method of determining operating cost of vehicle and monthly fee for each participant (driver is included);
- d. method of charging employee for participation, to reimburse agency for cost of operation (e.g. payroll deduction, advance payment, etc.);
- e. identification of probable participants; routes; probable drivers (with Louisiana driver's license numbers); where vehicle will be stored overnight and on weekends; other uses of vehicle;
- f. any other information requested by the DOA fleet manager.

2. Each approved commuting program shall maintain records that will demonstrate it is self-supporting, and provide such to the DOA fleet manager by May 15 of each year. Renewal of approval for the subsequent fiscal year will be dependent upon this report. A daily mileage log will be maintained that also indicates the driver and passengers for each trip.

3. Agencies may include whatever additional controls they deem necessary.

AUTHORITY NOTE: Promulgated in accordance with R.S. 39:60, 39:231, 39:361-365, and 49:950-970.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, LR 3:434 (November 1977), amended LR 7:71 (March 1981), LR 7:619 (December 1981), LR 10:88 (February 1984), LR 10:286 (April 1984), LR 10:463 (June 1984).

§2537. Reimbursement for Commute Miles

A. At the present time, state employees who are permitted to commute in state-owned vehicles between their residences and official domiciles or duty stations shall retain responsibility for personally reporting the fair market value of this fringe benefit to the Internal Revenue Service. The commissioner of administration may delegate to the governor the authority to issue executive orders in regard to commute fees or income reporting. In the absence of such, or of further rule-making by the commissioner, commute fees will not be collected by the state.

AUTHORITY NOTE: Promulgated in accordance with R.S. 39:60, 39:231, 39:361-365, and 49:950-970.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, LR 3:434 (November 1977), amended LR 7:71 (March 1981), LR 7:619 (December 1981), LR 10:88 (February 1984), LR 10:287 (April 1984).

Subchapter F. Maintenance and Care of Vehicles

§2539. General

A. The preventive maintenance (PM) program is designed to provide maximum safety, efficiency, and economy in the operation of motor vehicles, and to minimize lost vehicle time caused by extensive repairs. All departments and other agencies must follow the minimum guidelines contained herein or submit an alternative, formal program to the state fleet manager by April 1, 1984 for approval. There shall be a primary person designated as responsible for insuring that PM guidelines are followed on each state-owned vehicle; this may be the employee who has a personally-assigned vehicle, a transportation officer for a group or pool of vehicles, the department transportation coordinator, maintenance facility managers, or others. This person will be held accountable for compliance with these or the department's PM guidelines and maintenance of compliance records which are subject to audit. An individual file will be maintained on each vehicle, as called for in §2547 in these policies, by either the designated responsible person or someone in a higher management position within the agency.

AUTHORITY NOTE: Promulgated in accordance with R.S. 39:60, 39:231, 39:361-365, and 49:950-970.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, LR 3:434 (November 1977), amended LR 7:71 (March 1981), LR 7:619 (December 1981), LR 10:88 (February 1984), LR 10:287 (April 1984).

§2541. Routine Maintenance

A. Each state employee designated in §2539 shall routinely check their assigned vehicles to insure proper oil level, water and coolant or antifreeze for radiators, water for batteries, wear on belts, and proper inflation of tires. Additionally, vehicles shall be kept clean both inside and out. The vehicle driver and/or responsible person shall see that these services are performed at least weekly, and the vehicle file shall document this. DOA Form 424 may be utilized for this purpose if signed by the person who checked the vehicle. A pool transportation officer may require that every driver of the state-owned vehicles complete a checklist and turn it in with the vehicle keys after each trip.

B. All state employees authorized to operate state-owned vehicles should, at least occasionally, be responsible for performance of the routine maintenance check so that any questions regarding how to check these items can be clarified before a problem on the road occurs. Basic items such as how to change a tire or jump a dead battery should also be taught, as necessary. Drivers may be tested on these or other appropriate items, at the discretion of the department head, before permitting the employee to drive a state-owned vehicle.

AUTHORITY NOTE: Promulgated in accordance with R.S. 39:60, 39:231, 39:361-365, and 49:950-970.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, LR 3:434 (November 1977), amended LR 7:71 (March 1981), LR 7:619 (December 1981), LR 10:88 (February 1984), LR 10:288 (April 1984).

§2543. Preventive Maintenance

A. The preventive maintenance guidelines indicated on DOA Form MV-4 will be followed for all passenger vehicles unless the manufacturer's guidelines are more stringent. In that case, the DOA form shall be modified and still utilized to maintain a current and ongoing record of the vehicle's maintenance. The department transportation coordinator is responsible for seeing that an appropriate written maintenance plan has been prepared for any other type of state vehicle he/she is responsible for, and that such is followed.

B. DOA Form MV-4 shall be completed at each preventive maintenance interval (adapted, as necessary, for nonpassenger vehicles) and signed by both the mechanic or shop foreman and responsible state employee. One copy of the completed form shall be maintained in the vehicle file; one copy shall be transmitted through the responsible transportation officer (if any) to the department transportation coordinator, one copy shall be forwarded to the state fleet manager, where an automated system will begin to track operating costs and repairs on each vehicle. Departments may arrange to communicate this information to DOA by another method, such as printouts of internally maintained data, until electronic networking is accomplished.

C. Until such time that the state fleet manager or another system can generate prompter messages to agencies regarding due dates for preventive maintenance on specific vehicles, the person designated as responsible for that vehicle shall develop some type of tickler system so that maintenance intervals will not be exceeded. If maintenance is not performed within 10 working days of the due date or mileage indicator, the vehicle assignment is subject to termination.

AUTHORITY NOTE: Promulgated in accordance with R.S. 39:60, 39:231, 39:361-365, and 49:950-970.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, LR 3:434 (November 1977), amended LR 7:71 (March 1981), LR 7:619 (December 1981), LR 10:88 (February 1984), LR 10:288 (April 1984).

§2545. Annual Safety Inspections

A. All state-owned vehicles shall maintain valid safety inspection stickers or other safety criteria, as appropriate to the type of vehicle. The department transportation coordinator is responsible for insuring that this occurs.

AUTHORITY NOTE: Promulgated in accordance with R.S. 39:60, 39:231, 39:361-365, and 49:950-970.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, LR 3:434 (November 1977), amended LR 7:71 (March 1981), LR 7:619 (December 1981), LR 10:88 (February 1984), LR 10:288 (April 1984).

§2547. Vehicle Files

A. In addition to the records of routine and preventive maintenance required above on each vehicle, the vehicle file shall include a copy of the daily/ monthly log of vehicle use, which shall indicate downtime of the vehicle and reason for such, as well as records of all repairs, operating costs, etc. associated with the vehicle.

AUTHORITY NOTE: Promulgated in accordance with R.S. 39:60, 39:231, 39:361-365, and 49:950-970.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, LR 3:434 (November 1977), amended LR 7:71 (March 1981), LR 7:619 (December 1981), LR 10:88 (February 1984), LR 10:288 (April 1984).

§2549. Service Facilities

A. When a vehicle is under warranty, the authorized dealer (certified by the manufacturer to perform maintenance on their equipment) shall be utilized, except in unusual circumstances, as approved by the department transportation coordinator. Payment for services to other private facilities should not be authorized, except in such cases.

B. Service from state-owned garages or maintenance facilities operated or leased by the department owning the state vehicle (not under warranty) is required when reasonably available, following procedures established by the department.

C. Basic service through the Division of Administration's Fleet Management Section is available at nominal fees to all state agencies on a scheduled basis at the Baton Rouge facility. Loan vehicles may be provided when available. As additional services and facilities become available, departments will be notified. Gasoline is available at reduced rates for state-owned vehicles which belong to departments who have entered into an agreement for payment with the Division of Administration's Office of State Property Control.

D. Every state agency is encouraged to furnish preventive and restorative services (including labor, parts, fuel) to state-owned vehicles belonging to any other state agency as its own facilities and needs permit. The agency served shall pay expenses involved to the agency providing the service, at a rate agreed upon prior to the service being rendered, and any such funds collected will be made available to the agency furnishing the services, facilities, and records.

1. The Division of Administration will assist in the development of any intradepartmental assessment of vehicle maintenance services in order to determine the feasibility of expanding service availability to other agencies in the geographic region and appropriate charges to recover costs.

2. The Division of Administration will prepare a directory after July 1, 1984, with regular updates, listing locations of all fuel and maintenance facilities which departments have indicated are available to meet the needs of state-owned vehicles belonging to other state agencies.

E. Commercial facilities under state contract or with blanket purchase agreements with the state will be utilized where the above are not available. These will also be identified in the forthcoming directory, as they are developed.

F. When the service facilities detailed above are not available, automotive repairs fall under specific purchasing code procedures, as outlined in Executive Order 82-13. These state that repairs and parts associated with those repairs for automobiles and machinery shall be obtained by either an authorized dealer (as defined in §2549.A), or through competitive bids according to small purchase regulations as follows (unless otherwise exempted):

1. under \$100 ~~C~~no competitive bidding required;
2. over \$100 but under \$500 ~~C~~receipt of price quotations required, and purchase made on basis of lowest quotation (telephone and telegraph quotations acceptable when reason explained in writing);
3. over \$500 but under \$2,000 ~~C~~solicit written quotations from at least five bonafide prospective bidders using DA 101 and FACS 101 forms;
4. over \$2,000 but under \$5,000 ~~C~~sending out written invitations for bids to a least eight bona fide, qualified bidders including complete specifications, notice of bid reading, etc;
5. over \$5,000 includes advertising requirements, etc. ~~C~~state agencies are strongly urged to adopt internal procedures whereby the department transportation coordinator is consulted when repairs are estimated to total between \$100 and \$500, and that his/her authorization be required for repairs estimated to cost over \$500 prior to performance, even by an authorized dealer. The department transportation coordinator, in consultation with the state fleet manager, should review repair and operating expense records to determine whether it may be more cost-efficient to replace the vehicle than continue to maintain it.

G. Except for those agencies to which other purchasing authority has been delegated, Executive Order 82-13 states that: (2.g.5) "Repairs and parts associated with those repairs for heavy equipment, airplanes, and large boats shall be obtained by the use of an authorized dealer."

H. State contracts exist for most major vehicle items, under which substantial discounts are available. Except in emergency situations, these dealers must be utilized for batteries, tires, parts, transmissions, glass repair, etc. Lists of these dealers will be furnished to all departments for placement in each state vehicle and updated as changes occur.

I. Drivers of state vehicles should be aware that fuel purchases for state-owned vehicles are exempt from federal excise taxes (usually credited on the monthly fuel bill), and that parts and other commodities are exempt from the state portion of the sales tax. Retailers may, however, not be knowledgeable in this area and may have to call the transportation officer for confirmation.

J. When fuel is not available from a state-operated facility, the driver shall utilize the self-service pumps unless a mechanical problem needs to be checked by the attendant, or such are not available. Credit card charge receipts will be audited for this periodically, and an employee violating this provision shall be personally responsible for full-service purchases which cannot be justified. Handicapped drivers are excluded from this policy when the handicap makes self-service a hardship.

K. Each state employee has the responsibility to report to his/her transportation officer, department transportation coordinator, or the Division of Administration state fleet manager any incident involving possible misuse, abuse, or neglect of a state vehicle, including lack of proper maintenance. Confidentiality of the source of information will be maintained, if requested. Reports received from the general public will also be investigated.

L. Operators of state-owned vehicles will follow all reasonable procedures to insure the safety and economical use of state vehicles, including:

1. locking vehicles at any time they are left unattended;
2. removing credit cards when keys must be left in the vehicle at parking facilities;
3. parking the vehicle in authorized places where reasonable security is offered and removing from ready visibility any state or personal property within the vehicle.

AUTHORITY NOTE: Promulgated in accordance with R.S. 39:60, 39:231, 39:361-365, and 49:950-970.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, LR 3:434 (November 1977), amended LR 7:71 (March 1981), LR 7:619 (December 1981), LR 10:88 (February 1984), LR 10:288 (April 1984).

Subchapter G. General Provisions

§2551. Cases of Special Need

A. Cases of special need where the performance of official state business requires deviation from stated policy must receive prior written approval from the commissioner of administration. Such cases include:

1. state-owned vehicles used by employees traveling less than 15,000 miles annually (personal assignments);
2. privately owned vehicles used by employees traveling in excess of 15,000 miles annually;
3. the above requests for exception must be submitted annually to the commissioner by May 1 for application in the following fiscal year.

AUTHORITY NOTE: Promulgated in accordance with R.S. 39:60, 39:231, 39:361-365, and 49:950-970.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, LR 3:434 (November 1977), amended LR 7:71 (March 1981), LR 7:619 (December 1981), LR 10:88 (February 1984), LR 10:289 (April 1984).

§2553. Vehicles Operated Less Than 15,000 Miles Annually

A. State-owned passenger vehicles which are anticipated to be operated less than 15,000 miles annually and are not specifically excepted by the commissioner, will be either:

1. reassigned to employees or units in the same department who travel more than 15,000 miles per year in personal vehicles or where state vehicles need to be replaced;
2. incorporated into intradepartmental motor pools; or
3. turned over to the Division of Administration's State Property Control.

AUTHORITY NOTE: Promulgated in accordance with R.S. 39:60, 39:231, 39:361-365, and 49:950-970.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, LR 3:434 (November 1977), amended LR 7:71 (March 1981), LR 7:619 (December 1981), LR 10:88 (February 1984), LR 10:289 (April 1984).

§2555. PPM Number 49, General Travel Regulations

A. Regulations related to state-owned vehicles promulgated in Policy and Procedure Memorandum Number 49, General Travel Regulations (cited in §2503.A.9 of these policies) shall continue to be in effect.

AUTHORITY NOTE: Promulgated in accordance with R.S. 39:60, 39:231, 39:361-365, and 49:950-970.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, LR 3:434 (November 1977), amended LR 7:71 (March 1981), LR 7:619 (December 1981), LR 10:88 (February 1984), LR 10:289 (April 1984).

§2557. Federal Funds

A. When federal funds were involved in the purchase or lease of a state-owned vehicle, federal rules and regulations governing the utilization of that vehicle will prevail. Such situations that conflict with state policies must be justified to the commissioner as exceptions, following procedures outlined herein. Vehicles purchased by other special funds containing specific utilization provisions that conflict with state policies herein will likewise be identified to the commissioner for exception.

AUTHORITY NOTE: Promulgated in accordance with R.S. 39:60, 39:231, 39:361-365, and 49:950-970.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, LR 3:434 (November 1977), amended LR 7:71 (March 1981), LR 7:619 (December 1981), LR 10:88 (February 1984), LR 10:289 (April 1984).

§2559. Meals and Other Services

A. When a state employee is required to use a state-owned vehicle for travel while away from his domicile, the vehicle may be used prudently to obtain meals and other necessary services. It shall not, however, be used for entertainment or personal purposes, either within or outside of the official domicile, and such use shall result in a suspension of the privilege of using a state vehicle. The employee will be required to pay a \$50 fee for the reinstatement of this privilege, and may be subject to disciplinary action at the discretion of the employee's appointing authority. The state fleet manager will be notified of all such incidents and their disposition. Use of state-owned vehicles within the official domicile to obtain meals is not permitted except for State Police and other investigative and law enforcement officers actually on duty or State Police with the personal use privilege; field workers who are between consecutive site visits; and elected statewide officials who determine that such is official state business. In other extraordinary situations, the state fleet manager may authorize use of a state vehicle to obtain meals within the domicile. In all situations, the operation of a state-owned vehicle will be in the best interest of the tax-paying public and, therefore, directly service oriented. (The intent of this section is that unless a meal-time is used for a bona fide, strictly official state business meeting, a state-owned vehicle shall not be used.)

AUTHORITY NOTE: Promulgated in accordance with R.S. 39:60, 39:231, 39:361-365, and 49:950-970.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, LR 3:434 (November 1977), amended LR 7:71 (March 1981), LR 7:619 (December 1981), LR 10:88 (February 1984), LR 10:289 (April 1984).

§2561. Driving While Intoxicated

A. Under no circumstances shall a state employee operate a state-owned vehicle while under the influence of intoxicating beverages, drugs, or other substances.

AUTHORITY NOTE: Promulgated in accordance with R.S. 39:60, 39:231, 39:361-365, and 49:950-970.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, LR 3:434 (November 1977), amended LR 7:71 (March 1981), LR 7:619 (December 1981), LR 10:88 (February 1984), LR 10:289 (April 1984).

§2563. Employee Responsibilities

A. The operator of a state-owned vehicle will be personally responsible for any fines, tow-away charges, or other costs associated with his/her failure to observe all federal and state motor vehicle laws or municipal ordinances.

AUTHORITY NOTE: Promulgated in accordance with R.S. 39:60, 39:231, 39:361-365, and 49:950-970.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, LR 3:434 (November 1977), amended LR 7:71 (March 1981), LR 7:619 (December 1981), LR 10:88 (February 1984), LR 10:289 (April 1984).

§2565. Accident Review Board

A. Each department will establish an Accident Review Board consisting of at least three persons, which will review the circumstances of any accident involving a state vehicle. Internal department guidelines shall be developed regarding disciplinary and other action (potentially including recovery of damages) that may be taken should an employee be determined to be at fault due to negligence, violation of law, etc., particularly if the accident did not occur during the conduct of official state business. A copy of the guidelines developed shall be submitted to the Division of Administration for review and approval by June 1, 1984.

1. An annual report on vehicles will be submitted to the commissioner of administration by January 1, 1985, and each succeeding year, to include the following:

a. listing of state-owned vehicles assigned or leased to the department, to include type of vehicle, make, model, year, primary user (if any), mileage traveled or hours of use (grand total through September 30 and specified yearly figures), annual rental or lease cost, if not purchased, or the purchase price. (This information has been required since 1978.) The BR-20B, C, and D forms prepared for the state Budget Office will suffice for much of this information, but must be submitted separately to the commissioner by January 1 and will be supplemented to include license plate identification number, State Property Control agency tag numbers, daytime location of vehicle, overnight storage site, total days of downtime due to repairs or maintenance, total annual cost of repairs and maintenance (excluding fuel and oil added between changes), basic operating costs (fuel, oil added, etc.), and estimated insurance cost;

b. total number of state-owned passenger vehicles driven less than 15,000 miles annually (required since 1978), by official domicile location;

c. total number of miles traveled by state employees in privately-owned vehicles on state business during the same reporting period, by official domicile location (required since 1978);

d. listing of state employees traveling more than 15,000 miles annually in private vehicles on state business; actual miles and amount reimbursed (required since 1978) and office or official domicile location. By adding office (or official domicile) location under "Nature and Purpose of Travel," the BR-14B budget request form will suffice for this requirement (copy attached)*;

e. information on intradepartmental motor pools operating; any interdepartmental motor pools established; identified needs for these services or other status indicators (required since 1978);

f. number of passenger vehicles turned over to DOA State Property Control, or otherwise disposed of, during the year reported (required since 1978).

AUTHORITY NOTE: Promulgated in accordance with R.S. 39:60, 39:231, 39:361-365, and 49:950-970.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration in LR 3:434 (November 1977), amended LR 7:71 (March 1981), LR 7:619 (December 1981), LR 10:88 (February 1984), LR 10:289 (April 1984).

§2567. Forms DOA-MV-1, 2, 3, 4, and 5

A. Forms DOA-MV-1, 2, 3, 4, and 5 as referenced in Subchapter B, §2509.F-Subchapter G, §2565.A are to be finalized and printed by the Division of Administration's Forms Management Section. All agencies will be sent copies and instructions regarding the procurement of these forms. Until these forms are available, deadlines mentioned herein will be extended.

AUTHORITY NOTE: Promulgated in accordance with R.S. 39:60, 39:231, 39:361-365, and 49:950-970.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, LR 3:434 (November 1977), amended LR 7:71 (March 1981), LR 7:619 (December 1981), LR 10:88 (February 1984), LR 10:290 (April 1984)

§2569. Waiver of Provisions

A. The commissioner of Administration may waive in writing any provision in these regulations when the best interest of the state will be served.

AUTHORITY NOTE: Promulgated in accordance with R.S. 39:60, 39:231, 39:361-365, and 49:950-970.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, LR 3:434 (November 1977), amended LR 7:71 (March 1981), LR 7:619 (December 1981), LR 10:88 (February 1984), LR 10:290 (April 1984).